

26-46-101. Definitions.

- (1) "Geriatric professional" means a person who:
 - (a) is a licensed:
 - (i) health care professional;
 - (ii) social worker;
 - (iii) occupational therapist;
 - (iv) pharmacist;
 - (v) physical therapist; or
 - (vi) psychologist; and
 - (b) is determined by the department to have adequate advanced training in geriatrics to prepare the person to provide specialized geriatric care within the scope of the person's profession.
- (2) "Health care professional" means:
 - (a) a licensed:
 - (i) physician;
 - (ii) physician assistant;
 - (iii) nurse;
 - (iv) dentist; or
 - (v) mental health therapist; or
 - (b) another licensed health care professional designated by the department by rule.
- (3) "Underserved area" means an area designated by the department as underserved by health care professionals, based upon the results of a needs assessment developed by the department in consultation with the Utah Health Care Workforce Financial Assistance Program Advisory Committee created under Section 26-46-103.

Amended by Chapter 97, 2009 General Session

26-46-102. Creation of program -- Duties of department.

- (1) There is created within the department the Utah Health Care Workforce Financial Assistance Program to provide, within funding appropriated by the Legislature for this purpose:
 - (a) professional education scholarships and loan repayment assistance to health care professionals who locate or continue to practice in underserved areas; and
 - (b) loan repayment assistance to geriatric professionals who locate or continue to practice in underserved areas.
- (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules governing the administration of the program, including rules that address:
 - (a) application procedures;
 - (b) eligibility criteria;
 - (c) selection criteria;
 - (d) service conditions, which at a minimum shall include professional service in an underserved area for a minimum period of time by any person receiving a scholarship or loan repayment assistance;

- (e) penalties for failure to comply with service conditions or other terms of a scholarship or loan repayment contract;
 - (f) criteria for modifying or waiving service conditions or penalties in case of extreme hardship or other good cause; and
 - (g) administration of contracts entered into before the effective date of this act, between the department and scholarship or loan repayment recipients, as authorized by law.
- (3) The department shall seek and consider the recommendations of the Utah Health Care Workforce Financial Assistance Program Advisory Committee created under Section 26-46-103 as it develops and modifies rules to administer the program.
- (4) Funding for the program:
- (a) shall be a line item within the appropriations act;
 - (b) shall be nonlapsing unless designated otherwise by the Legislature; and
 - (c) may be used to cover administrative costs of the program, including reimbursement expenses of the Utah Health Care Workforce Financial Assistance Program Advisory Committee created under Section 26-46-103.
- (5) Loan repayments and payments resulting from breach of contract are dedicated credits to the program.
- (6) The department shall prepare an annual report on the revenues, expenditures, and outcomes of the program.

Amended by Chapter 97, 2009 General Session

26-46-103. Advisory committee -- Membership -- Compensation -- Duties.

- (1) There is created the Utah Health Care Workforce Financial Assistance Program Advisory Committee consisting of the following 13 members appointed by the executive director, eight of whom shall be residents of rural communities:
- (a) one rural representative of Utah Hospitals and Health Systems, nominated by the association;
 - (b) two rural representatives of the Utah Medical Association, nominated by the association;
 - (c) one representative of the Utah Academy of Physician Assistants, nominated by the association;
 - (d) one representative of the Association for Utah Community Health, nominated by the association;
 - (e) one representative of the Utah Dental Association, nominated by the association;
 - (f) one representative of mental health therapists, selected from nominees submitted by mental health therapist professional associations;
 - (g) one representative of the Association of Local Health Officers, nominated by the association;
 - (h) one representative of the low-income advocacy community, nominated by the Utah Human Services Coalition;
 - (i) one nursing program faculty member, nominated by the Statewide Deans and Directors Committee;
 - (j) one administrator of a long-term care facility, nominated by the Utah Health

Care Association;

- (k) one nursing administrator, nominated by the Utah Nurses Association; and
- (l) one geriatric professional who is:
 - (i) determined by the department to have adequate advanced training in geriatrics to prepare the person to provide specialized geriatric care within the scope of the person's profession; and
 - (ii) nominated by a professional association for the profession of which the person is a member.

(2) An appointment to the committee shall be for a four-year term unless the member is appointed to complete an unexpired term. The executive director may also adjust the length of term at the time of appointment or reappointment so that approximately 1/2 the committee is appointed every two years. The executive director shall annually appoint a committee chair from among the members of the committee.

(3) The committee shall meet at the call of the chair, at least three members of the committee, or the executive director, but no less frequently than once each calendar year.

(4) A majority of the members of the committee constitutes a quorum. The action of a majority of a quorum constitutes the action of the committee.

(5) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

- (a) Section 63A-3-106;
- (b) Section 63A-3-107; and
- (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(6) The committee shall:

- (a) make recommendations to the department for the development and modification of rules to administer the Utah Health Care Workforce Financial Assistance Program; and
- (b) advise the department on the development of a needs assessment tool for identifying underserved areas.

(7) As funding permits, the department shall provide staff and other administrative support to the committee.

Amended by Chapter 286, 2010 General Session

26-46-104. Continuity between programs.

(1) A contract entered into between the department and a scholarship or loan repayment recipient under Title 26, Chapter 9, Part 2, Physicians and Physician Assistants Grant and Scholarship Program, Title 26, Chapter 9d, Nurse Education Financial Assistance, or Title 26, Chapter 9e, Special Population Health Care Provider Financial Assistance and Retention Act, prior to the effective date of this act, remains valid on and after the effective date of this act, except that any provisions that cannot be administered due to the repeal of these programs shall be administered pursuant to Subsection 26-46-102(2)(g).

(2) Applications in process on the effective date of this act, for scholarship or

loan repayment under Title 26, Chapter 9, Part 2, Physicians and Physician Assistants Grant and Scholarship Program, Title 26, Chapter 9d, Nurse Education Financial Assistance, or Title 26, Chapter 9e, Special Population Health Care Provider Financial Assistance and Retention Act, shall be evaluated for acceptance under the provisions of this chapter.

Enacted by Chapter 307, 2002 General Session